

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Calum A. MacRae et al.
Serial No. : 10/605,415
Filed : September 29, 2003
Title : ZEBRAFISH ASSAY

Art Unit : 1632
Examiner : Marcia S. Noble
Conf. No. : 2414

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed October 10, 2006, the Applicants elect the invention of Group I drawn to the embodiment of methods of evaluating test agents for the ability to modulate heart function comprising contacting a wild-type zebrafish with a test agent and determining changes in heart function.

The Applicants traverse on the ground that there would be no serious burden on the examiner to search Groups I and II or, in the alternative, claims 1-60 (Groups I and II, in part) together. The Applicants ask that the Examiner identify how the search terms would differ for examination of Groups I and II or, in the alternative, claims 1-60. It is not persuasive that searching the claimed methods would necessitate different searches merely because a transgenic animal is used in some embodiments and wild type animals are used in another.

No statement herein is an admission that any claim or embodiment is obvious over another. The Applicants reserve the right to rejoin any claim, including a claim of the groups traversed above as appropriate and to present additional reasons for traversing the restriction requirement.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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January 10, 2007

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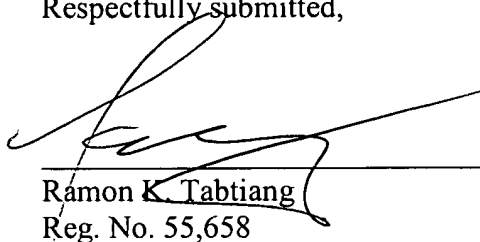
Attorney's Docket No.: 10284-077001 / MGH 2236

This response is submitted along with a Petition for Extension of Time and the required fee. Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 10284-077001.

Respectfully submitted,

Date: _____

10 Jan 2007



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